



State of Arizona
Department of Education

Tom Horne
Superintendent of
Public Instruction

CN# 37-05

MEMORANDUM

To: School Health & Nutrition Program Sponsors
From: Mary Szafranski, Deputy Associate Superintendent
Arizona Department of Education, Health & Nutrition Services
Holly Mueller, Program Director
Arizona Department of Education, School Health & Nutrition Programs
Date: May 5, 2005
RE: Healthy School Environment Upcoming Regulations and Resources

Recent legislative changes resulted in the creation of two new NSLP regulations. The goal of these new regulations is to help foster a Health School Environment in all Arizona Schools. Detailed information regarding both pieces of legislation is listed below.

Local Wellness Policy - Section 204 of Public Law 108-265

- **All Local Educational Agencies (LEA) must have a Local Wellness Policy by July 2006.** The Reauthorization 2004 Local Wellness Policy regulation is intended to establish healthy school environments to assist in reducing childhood obesity and prevent diet and physical activity related chronic diseases. The mandated Local Wellness Policy should include:
 - Goals for nutrition education, physical activity and other school-based activities that are designed to promote student wellness
 - Nutrition guidelines for all foods available on each school campus during the school day with objectives for promoting student health and reducing childhood obesity.
 - Guidelines that ensure reimbursable school meals shall not be less restrictive than current regulations.
 - A plan for measuring implementation of the Local Wellness Policy.
 - Involving parents, students and representatives of the local education agency i.e. school board, school administrators.

House Bill 2544 - Amending Title 15, Chapter 2, Article 2, ARS, by adding Section 15-242

- **On April 26, 2005, Governor Janet Napolitano signed House Bill 2544 requiring Arizona K-8 schools to implement Nutrition Standards as developed by ADE. HB2544 takes effect July 2006.** The bill specifically requires that:
 - All elementary, middle and junior high schools must participate in NSLP.
 - FMNVs shall not be served or sold during normal school day.
 - The portion size, and minimum nutrient values of foods served must meet ADE standards.
 - A la carte and vended products must meet ADE standards.
 - All contracts with food and beverage vendors must prohibit the sale of FMNVs

For additional guidance, please review the following model policies:

Arizona Action for Healthy Kids – www.ade.az.gov/health-safety/cnp/teamnutrition/

National Alliance for Nutrition and Activity (NANA) – www.schoolwellnesspolicies.org/

National Association of School Boards of Education – www.nasbe.org/Standard/Past.html

Team Nutrition – www.fns.usda.gov/tn

The Arizona Department of Education (ADE) will be issuing further guidance to aid schools in the implementing of these new regulations. Additionally, ADE has created the enclosed Restricted Competitive Foods poster and desk reference containing examples of Foods of Minimal Nutritional Value (FMNV) to assist schools in creating a healthy school environment.

If you have questions or concerns regarding this memo, please contact your assigned School Health & Nutrition Program Specialist.

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